

**4343. Misbranding of "Bloodine Blood and Kidney Tablets," "Checkers," and "To-Ni-Ta." U. S. \* \* \* v. 222 Boxes of Tablets of Bloodine, 48 Bottles of Checkers, and 158 Bottles of To-Ni-Ta. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5739. I. S. Nos. 8649-h, 8650-h, 8651-h. S. No. C-44.)**

On June 5, 1914, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 222 boxes of tablets known as "Bloodine," 48 bottles of a preparation known as "Checkers," and 158 bottles of a preparation known as "To-Ni-Ta," remaining unsold in the original unbroken packages at Phoenix City, Ala., alleging that the product had been shipped on October 20, 1913, and transported from the State of Maryland into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles of "Bloodine" were labeled: "Bloodine—Blood and Kidney Tablets—For all Kidney, Liver, Bladder and Blood Diseases, Bright's Disease, Diabetes, Pain in the Back, Sciatica, Gravel, Stone in the Bladder, Nervousness and Nervous Debility. Dose—One to Three Tablets before or after meals. Children one tablet. 50 cents a box, 6 boxes \$2.50. Sent by mail on receipt of price. Put up at the laboratories of the Bloodine Corporation, Boston, Mass., U. S. A. Guaranteed by the Bloodine Corp. under the Food & Drugs Act, June 30, 1906. No. 4485-A." The packages or boxes were encased in wrappers which were also labeled as above and had in addition thereto, the following: "Guaranteed by the Manufacturer under the Food & Drugs Act, June 30, 1906. No. 4485—A." On the wrappers and boxes containing said tablets was the following: "For all Kidney, Liver, Bladder and Blood Diseases, Bright's Disease, Diabetes, Pain in the Back, Sciatica, Gravel, Stone in the Bladder, Nervousness and Nervous Debility." On the circulars contained in said boxes was the following: "It will thus be seen how necessary it is to have the kidneys in perfect order, strong and able to perform the work that God intended that they should. It is not for you to fret and mourn when your kidneys are out of order, that is like crying over spilled milk; you should be thankful that there is such a remedy as Bloodine Blood and Kidney Tablets, which can always be relied on to remedy the evil. You should tell your neighbors and friends about it and urge them to take this great cure. As surely as the sun rises and sets they will ultimately be cured. \* \* \* Bloodine Blood & Kidney Tablets go direct to the seat of the trouble. They strengthen the Kidneys and bladder and put new life into them. They revitalize and enrich the stagnant blood and make its course through the system invigorating. There can be no sick kidneys or inflamed bladder when this remedy is used."

It was alleged in the libel that said tablets were misbranded, and said statements on the wrappers, boxes, and in the circulars were false and misleading in that the therapeutic agents in said tablets were methylen blue, hexamethylen-tetramin, and salicylates, and that the said tablets contained no ingredients or combination of ingredients to produce [capable of producing] the therapeutic effect claimed in said wrappers, boxes, and circulars.

The bottles of "Checkers" were labeled: "Checkers The Different Medicine. A guaranteed cure for Stomach, Liver, Kidney, Nerve and Blood Diseases—which of course include these common types; Acute or Chronic Catarrh, Consumption, Bronchitis, Coughs, Colds, Neuralgia, Dyspepsia, Heart Disease, Loss of Appetite, Indigestion, Malaria, Chills and Fever, Nervousness and General Debility. Unexcelled for All Known Female Complaints and particularly efficacious in the up-building of Run-down, Depressed, Weakened and Diseased Systems traceable to an impoverished condition of the Nerves,

Brain Blood and Muscles. Checkers will make you new all over—embraces a new medical principle. Acts on every vital organ. No diseased spot can escape its searching action. Directions: Dose for Adults: A tablespoonful three times a day before meals; or, as often as required. Ladies and Delicate persons should always commence with a teaspoonful three times a day before meals, and gradually increase to the dose best suited to their condition. Compounded and Put up Under the Original Formula in U. S. by Checkers Medicine Co., in their Laboratory, Winston-Salem, N. C. The System Renovator. Checkers Makes People New All Over. Dr. Checkers of Austria, the originator of this new medical idea of a medicine that should act on every organ of the body, touch every part of it, so there would be no question but that the diseased organ or part should always be acted upon, worked for years on this formula. It was not only to get the best and most powerful ingredient for each organ, but to have a perfect balanced formula in which all the ingredients would act in harmony. The result is the most remarkable remedy of recent times. It cures beyond a question of doubt; Liver and Kidney Diseases, Bowel and Stomach Troubles, Catarrh and all Blood and Nerve Diseases. It does this because it goes to every part of the body, because it always touches the diseased spot. It cures cases that have resisted all other remedies because other remedies have failed to touch the spot. Checkers always finds the diseased spot. One feels the effect of this Magic Remedy after the first dose. Wherever there is any irregularity, sluggishness, any disease, the searching action of Checkers finds it, begins at once to correct the trouble and feelings of renewed strength and health immediately follow. It is the greatest rejuvenator, vitalizer, health and strength giving medicine of the age. So certain are we as to the results obtainable through the curative powers of this wonderful medicine that we agree to refund the purchase price where it has been given a faithful trial and perfectly satisfactory results have not been obtained. Checkers Medicine Co., Winston-Salem, N. C." In the circulars accompanying said bottles appeared the following: "The Different Medicine—A guaranteed cure for Stomach, Liver, Kidney, Nerve and Blood Diseases—which of course includes these common types; Acute or Chronic Catarrh, Consumption, Bronchitis, Coughs, Colds, Neuralgia, Dyspepsia, Heart Disease, Loss of Appetite, Indigestion, Malaria, Chills and Fever, Nervousness and General Debility; Unexcelled for all Known Female Complaints and particular efficacious in the upbuilding of Run-down, Depressed, Weakened, and Diseased Systems traceable to an impoverished condition of the Nerves, Brain, Blood and Muscles. Checkers will make you new all over—embraces a new medical principle. Acts on very vital organ. No diseased spot can escape its searching action." "Dr. Checkers of Austria, the originator of this new medical idea of a medicine that should act on every organ of the body, touch every part of it, so there would be no question but that the diseased organ or part should always be acted upon, worked for years on this formula. It was not only to get the best and most powerful ingredient for each organ, but to have a perfect balanced formula in which all the ingredients would act in harmony. The result was the most remarkable remedy of recent times. It cures beyond a question of doubt Liver and Kidney diseases, Bowel and Stomach troubles, Catarrh and all Blood and Nerve Diseases. It does this because it goes to every part of the body, because it must always touch the diseased spot. It cures cases that have resisted all other remedies because other remedies have failed to touch the spot. Checkers always finds the diseased spot. One feels the effect of this Magic Remedy after the first dose. Wherever there is any irregularity, sluggishness, any disease, the searching action of Checkers finds it, begins at

once to correct the trouble and feelings of renewed strength and health immediately follow. It is the Greatest Rejuvenator, Vitalizer, Health and Strength Giving Medicine of the Age. So certain are we as to the results obtainable through the curative powers of this wonderful medicine, that we agree to refund the purchase price where it has been given a faithful trial and perfectly satisfactory results have not been obtained." "Makes People New All Over." "The System Renovator \* \* \* checks Consumption \* \* \*." "At last we have something new! At last we have a medicine Checkers which will check that 'checkered' feeling—so formulated it cures disease that all other remedies or treatment failed to affect. In nine-tenths of the cases treatment fails because the medicine does not hit the diseased spot. Treating symptoms are misleading, you may hit on the right things, more often you may not! Checkers is founded on the most common sense principle in the world. In its formula is embraced an active, powerful ingredient for every one of the great vital organs of the body. Swallow Checkers and there isn't a portion of your body that it does not touch, that it does not stimulate, regulate, that it does not bring increased vitality and action into. Don't you see that a medicine so formulated must hit the diseased spot? Checkers cures disease where others fail—because it touches the spot. Other medicines guess. Checkers acts on every vital organ, searches the human body—no disease can escape it. The secret of its marvelous action is because it finds the diseased spot and therefore a cure is comparatively easy. If you take into your system Checkers you have found a medicine that acts on every single one of the great vital organs, a medicine which will correct every irregularity in every one of them, consequently it must find the disease and a cure will result. It is on this new scientific principle that Checkers is founded and it will cure cases that have resisted all other treatment, because the symptoms were misleading—the other treatment has been directed at a certain set of symptoms, and the treatment failed to find the spot." "Checkers will find out what's wrong—it is the greatest 'every month in the year' medicine in the world today—the greatest producer of Vigor, Vitality, Appetite, Good Feeling and Good Appearance,—Because it puts every part of the body in good health." "If you suffer from any chronic disease—get a bottle of Checkers at once and commence using it."

It was alleged in the libel that said statements were false and misleading, and said drug was misbranded in that it contained no ingredient or combination of ingredients to produce [capable of producing] the therapeutic effect claimed in said statements. It was alleged that the drug was further misbranded in that the labels on the bottles failed to bear a statement of the quantity or proportion of alcohol contained therein.

The bottles of "To-Ni-Ta" were labeled: "To-Ni-Ta Trade Mark Mucous Membrane Bitters. A Gentle, Invigorating Tonic and Stimulant for Body, Brain, and Nerve. To-Ni-Ta has been prescribed successfully for fifteen years by Dr. Lorentz, the great specialist on diseases of the lungs, throat, stomach, blood, and nerves. To-Ni-Ta is an absolutely pure, safe, and reliable combination of the vital principles of the most powerful tonic and healing herbs known to medicine, and contains no opiates or other dangerous ingredients. The marvelous curative properties of To-Ni-Ta are largely due to the special process by which the active medicinal principles are extracted from each herb, and the scientific manner in which they have been united. Every organ of the human body is either lined with or covered by a mucous membrane, which is so delicate and sensitive that nearly every disease begins in the membrane. To-Ni-Ta acts directly on the mucous membrane imparting health and elasticity,

giving it power to resist and throw off disease. This explains why To-Ni-Ta is an absolute cure for so many diseases. To-Ni-Ta is prescribed and recommended by leading doctors, and used in prominent hospitals throughout the world as a positive cure for Consumption, Bronchitis, Quinsy, Coughs, Colds, Influenza, La Grippe, Catarrh, Neuralgia, Sciatica, Heart Disease, Liver Disease, Kidney Disease, Disease of the Rectum, Disease of the Pancreas, Appendicitis, Colitis, Piles, Dyspepsia, Indigestion, Loss of Appetite, Malaria, Intermittent Fever, Anaemia, Disease of the Blood, Sleeplessness, Nervousness, Female Complaints, Irregular, Painful, or Suppressed Menstruation, Sexual Weakness, and for All Run-Down, Depressed, Weakened, and Diseased Conditions of the Nerves, Brain, Blood, and Muscles. Dose: Adults: A tablespoonful three times a day before meals, or as often as required. Children and Delicate Women: A teaspoonful three times a day. The Lorentz Medical Co., New York—\$1.00 a bottle."

It was alleged in the libel that said statements on the labels were false and misleading, and that said drug was misbranded, in that the use of the words "Mucous Membrane Bitters" and "To-Ni-Ta acts directly on the mucous membrane imparting health and elasticity, giving it power to resist and throw off disease" indicated that the product was of value in the treatment of diseases of the mucous membrane, when, as a matter of fact, it was of no value in the treatment of such diseases. It was further alleged that the product was misbranded in that the labels on the bottles failed to bear a statement of the quantity or proportion of alcohol contained therein.

On November 3, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*